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April 14, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Art Unit 1614  
Mail Stop: Amendment

Re: U.S. Utility Patent Application  
Application No. 10/748,853; Filed: December 30, 2003  
For: **Complex Cationic Lipids Having Quaternary Nitrogens Therein**  
Inventor: Carl J. WHEELER  
Our Ref: 1530.0260002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement (4 pp.); and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Matthew J. Dowd  
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Registration No. 47,534

MJD/bls  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carl J. WHEELER

Appl. No.: 10/748,853

Filed: December 30, 2003

For: **Complex Cationic Lipids Having  
Quaternary Nitrogens Therein**

Confirmation No.: 6433

Art Unit: 1614

Examiner: Graffeo, Michel

Atty. Docket: 1530.0260002

**Reply to Restriction Requirement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated March 16, 2006, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 64-70 and 83-86. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicant also provisionally elects the following species for initial search: DMRIE carboxylate propyl amide. This species is exemplified in Example 3. Claims 64 and 71 read on the elected species. With respect to this species, the variable groups of claim 64 are as follows: R<sub>1</sub> and R<sub>2</sub> are CH<sub>3</sub>(CH<sub>2</sub>)<sub>12</sub>C(O)-; R<sub>3</sub> and R<sub>4</sub> are CH<sub>3</sub>; R<sub>6</sub> is propyl; Z is NR<sub>1</sub>, wherein R<sub>1</sub> is H; and n and m are 1. The variable groups of claim 71 are as follows: R<sub>1</sub> and R<sub>2</sub> are CH<sub>3</sub>(CH<sub>2</sub>)<sub>12</sub>C(O)-; R<sub>3</sub> and R<sub>4</sub> are CH<sub>3</sub>; R<sub>7</sub> is H; R<sub>8</sub> is propyl; and n and m are 1.